

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA

Robert Frost, Jr., #301382,)	C/A No. 5:11-2520-JFA-KDW
)	
Plaintiff,)	
)	
vs.)	ORDER
)	
South Carolina Dept. of Correction,)	
Director Bill Byers, Levern Cohen,)	
Warden, Ms. Montouth, I.G.C.,)	
Captain Best, in their individual and)	
official capacity,)	
)	
Defendants.)	

Plaintiff, proceeding pro se and *in forma pauperis*, brought this action alleging violations of his constitutional rights pursuant to 42 U.S.C. § 1983. Defendants filed an Amended Motion for Summary Judgment on January 21, 2013. ECF No. 88. As Plaintiff is proceeding pro se, the court entered an order on January 22, 2013, pursuant to *Roseboro v. Garrison*, 528 F.2d 309 (4th Cir. 1975), advising him of the importance of a motion for summary judgment and of the need for him to file an adequate response. ECF No. 89. Plaintiff was informed that his response was due by February 25, 2013, and was specifically advised that if he failed to respond adequately, Defendants' Motion may be granted, thereby ending this case.

Subsequent to Defendants' filing their Amended Motion for Summary Judgment, this court issued an order on March 6, 2013 permitting Plaintiff to engage in limited discovery and giving Plaintiff until May 6, 2013 to respond to Defendants' Amended Motion for Summary Judgment. *See* ECF No. 102. On April 10, 2013, the court denied Plaintiff's Motion to Compel, ECF No. 106, in which he sought to broaden the discovery permitted by the court in its March 6, 2013 Order. ECF No. 108. The court found Plaintiff's Motion to Compel did not warrant

adjustment to the March 6, 2013 Order permitting limited discovery and requiring Plaintiff to respond to Defendants' Amended Motion for Summary Judgment by May 6, 2013. *See id.*

Nonetheless, Plaintiff has yet to file a response to Defendants' Amended Motion for Summary Judgment. Although Plaintiff has filed a Motion to Dismiss, Motion to Strike, and Motion to Move to a County or Federal Facility, these Motions do not provide a substantive response to Defendants' Amended Motion for Summary Judgment. Plaintiff is advised that his pending Motions do not excuse his delay in responding to Defendants' Motion, nor will the court consider any further motions from him at this time. Accordingly, no later than **July 26, 2013**, Plaintiff is to file a response to Defendants' Amended Motion for Summary Judgment. Any reply of Defendants will be due by **August 2, 2013**. *No further extensions will be granted for any reason.* Plaintiff is advised that if he fails to respond adequately to Defendants' motion, the court may grant their Motion, which may end Plaintiff's case.

IT IS SO ORDERED.

July 12, 2013
Florence, South Carolina

A handwritten signature in black ink, appearing to read 'Kaymani D. West', with a stylized, cursive script.

Kaymani D. West
United States Magistrate Judge